

REMARKS

Claims 24-39 were pending. Claim 24-38 were indicated to be patentable over any prior art, but were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-75 of U.S. Pat. No. 6,221,330 ("the '330 patent"). Applicants respectfully traverse for the reasons set forth in Applicants' Response mailed November 19, 2003. Nevertheless, solely to expedite allowance of the claims and not because Applicants agree or acquiesce to the merits of this rejection, a terminal disclaimer has been filed to obviate this rejection. Thus, withdrawal of this rejection is respectfully requested.

Claim 39 was rejected over the Dai et al. article. Applicants respectfully disagree, but solely to expedite the allowance of claims 24-38 and not because Applicants agree or acquiesce to the merits of this rejection, claim 39 has been cancelled to pursue in a subsequent application.

As such, Applicants submit that the pending claims 24-38 are in condition for allowance and a notice to that effect is respectfully requested.

No fee is believed due. If there are any additional fees, please charge them to our firm deposit Account No. 50-0540.

Dated: November 3, 2005

Respectfully submitted,

KRAMER LEVIN NAFTALIS & FRANKEL LLP
Attorneys for Applicants

By:


Barry Evans, Reg. No. 22,802
Albert B. Chen, Reg. No. 41,667
Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036
(212) 715-9100